

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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J. MARK LANE and JAMES SEARS,

Plaintiffs,

- against -

STEVEN G. JAMES, in his official capacity as Acting
Superintendent of the New York State Police, and
MIRIAM E. ROCAH, in her official capacity as
District Attorney for the County of Westchester, New
York,

Defendants.
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22 Civ. 10989 (KMK)

**NOTICE OF CROSS-MOTION FOR
SUMMARY JUDGMENT**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law in Opposition to Plaintiffs' Motion for Summary Judgment and in Support of Superintendent Steven G. James's Cross-Motion for Summary Judgment, dated May 15, 2024, the Declaration of Suzanna Publicker Mettham, dated May 15, 2024, the Supporting Declarations of Michael Deyo, Brennan Rivas, Louis Klarevas, Brian DeLay, Dennis Baron, Jaclyn Schildkraut, Robert Spitzer, and James Yurgealitis, and all other prior pleadings and proceedings herein, defendant Steven G. James, by his attorney, Letitia James, Attorney General of the State of New York, hereby moves this Court before the Honorable Kenneth M. Karas, United States District Judge, with oral argument on a date and at a time designated by the Court, for an Order pursuant to Rule 56 of the Federal Rules of Civil Procedure, granting Superintendent Steven G. James summary judgment and dismissing with prejudice the Complaint (ECF No. 1) in its entirety, and for such other and further relief as this Court deems just and proper.

PLEASE TAKE FURTHER NOTICE that, pursuant to the Court's February 16, 2024 Order, Dkt. No. 69, Plaintiffs' reply and any opposition papers must be served no later than July 15, 2024; and Defendants' reply in support of their cross-motion must be served no later than August 2, 2024.

Dated: May 15, 2024
New York, New York

LETTITIA JAMES
Attorney General
State of New York
Attorney for Superintendent Steven G. James

By:

Suzanna Publicker Mettham
Suzanna Publicker Mettham
Section Chief
Brenda Cooke
Deputy Bureau Chief
James M. Thompson
Special Counsel for Second Amendment Litigation
Yuval Rubinstein
Special Litigation Counsel
28 Liberty Street
New York, New York 10005
suzanna.mettham@ag.ny.gov
brenda.cooke@ag.ny.gov
james.thompson@ag.ny.gov
yuval.rubinstein@ag.ny.gov